

## Message

**From:** Stahle, Susan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B25318C6014D4FB985288E15143C8596-SSTAHLE]  
**Sent:** 3/25/2021 6:58:55 PM  
**To:** Dertke, Daniel (ENRD) [Daniel.Dertke@usdoj.gov]  
**Subject:** RE: 2021 Sinclair SRE decision - urgent timing issue  
**Attachments:** SWR Petition for Review of 2018 RFS Exemption Denial.pdf; 31SRE - EPA Motion to Dismiss (as filed).pdf; Sinclair - 113(g) FR Notice - 091415.pdf; Sinclair Small Refinery Litigation - Settlement Agreement - for public comment - 082515.doc

Dan –

I'm attaching publicly available documents that we can point to for the information you highlighted in red. It will not necessarily cover every single word but it will cover a lot of it. I can walk you through it as needed.

Susan Stahle  
 Air and Radiation Law Office  
 Office of General Counsel  
 U.S. Environmental Protection Agency  
 WJCN-7502B  
 202-564-1272

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**From:** Dertke, Daniel (ENRD) <Daniel.Dertke@usdoj.gov>  
**Sent:** Thursday, March 25, 2021 2:01 PM  
**To:** Stahle, Susan <Stahle.Susan@epa.gov>; Dubey, Susmita <dubey.susmita@epa.gov>; O'Donnell, Jessica (ENRD) <Jessica.O'Donnell@usdoj.gov>  
**Cc:** Miller, Meredith <Miller.Meredith@epa.gov>  
**Subject:** RE: 2021 Sinclair SRE decision - urgent timing issue

## Ex. 5 Attorney Client (AC) / Attorney Work Product (AWP)

Sue could you help me track down the public sources for more of what's currently in red? Reply just to me if you think we don't all need to be on this sub-topic.

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**From:** Stahle, Susan <Stahle.Susan@epa.gov>  
**Sent:** Thursday, March 25, 2021 1:49 PM  
**To:** Dertke, Daniel (ENRD) <DDertke@ENRD.USDOJ.GOV>; Dubey, Susmita <dubey.susmita@epa.gov>; O'Donnell, Jessica (ENRD) <JO'Donnell@ENRD.USDOJ.GOV>  
**Cc:** Miller, Meredith <Miller.Meredith@epa.gov>  
**Subject:** RE: 2021 Sinclair SRE decision - urgent timing issue

Dan –

## Ex. 5 Attorney Client (AC) / Attorney Work Product (AWP)

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Air and Radiation Law Office  
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**From:** Dertke, Daniel (ENRD) <[Daniel.Dertke@usdoj.gov](mailto:Daniel.Dertke@usdoj.gov)>  
**Sent:** Thursday, March 25, 2021 1:30 PM  
**To:** Dubey, Susmita <[dubey.susmita@epa.gov](mailto:dubey.susmita@epa.gov)>; O'Donnell, Jessica (ENRD) <[Jessica.O'Donnell@usdoj.gov](mailto:Jessica.O'Donnell@usdoj.gov)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>  
**Cc:** Miller, Meredith <[Miller.Meredith@epa.gov](mailto:Miller.Meredith@epa.gov)>  
**Subject:** RE: 2021 Sinclair SRE decision - urgent timing issue

There is one other deadline – **Ex. 5 Attorney Client (AC) / Attorney Work Product (AWP)**

## Ex. 5 Attorney Client (AC) / Attorney Work Product (AWP)

**From:** Dubey, Susmita <[dubey.susmita@epa.gov](mailto:dubey.susmita@epa.gov)>  
**Sent:** Thursday, March 25, 2021 12:55 PM  
**To:** O'Donnell, Jessica (ENRD) <[JO'Donnell@ENRD.USDOJ.GOV](mailto:JO'Donnell@ENRD.USDOJ.GOV)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Dertke, Daniel (ENRD) <[DDertke@ENRD.USDOJ.GOV](mailto:DDertke@ENRD.USDOJ.GOV)>  
**Cc:** Miller, Meredith <[Miller.Meredith@epa.gov](mailto:Miller.Meredith@epa.gov)>  
**Subject:** RE: 2021 Sinclair SRE decision - urgent timing issue

## Ex. 5 Attorney Client (AC) / Attorney Work Product (AWP)

Susmita Dubey  
Office of General Counsel  
(202) 564-5577

**From:** O'Donnell, Jessica (ENRD) <[Jessica.O'Donnell@usdoj.gov](mailto:Jessica.O'Donnell@usdoj.gov)>  
**Sent:** Thursday, March 25, 2021 11:02 AM  
**To:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Dertke, Daniel (ENRD) <[Daniel.Dertke@usdoj.gov](mailto:Daniel.Dertke@usdoj.gov)>  
**Cc:** Miller, Meredith <[Miller.Meredith@epa.gov](mailto:Miller.Meredith@epa.gov)>; Dubey, Susmita <[dubey.susmita@epa.gov](mailto:dubey.susmita@epa.gov)>  
**Subject:** RE: 2021 Sinclair SRE decision - urgent timing issue

## Ex. 5 Attorney Client (AC) / Attorney Work Product (AWP)

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Dan – Sorry I keep asking this and forgetting the answer, but are there any other deadlines in the case at present?

Jessica O'Donnell  
Assistant Section Chief  
Environmental Defense Section  
202.305.0851

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**From:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>  
**Sent:** Thursday, March 25, 2021 10:35 AM  
**To:** Dertke, Daniel (ENRD) <[DDertke@ENRD.USDOJ.GOV](mailto:DDertke@ENRD.USDOJ.GOV)>  
**Cc:** O'Donnell, Jessica (ENRD) <[JO'Donnell@ENRD.USDOJ.GOV](mailto:JO'Donnell@ENRD.USDOJ.GOV)>; Miller, Meredith <[Miller.Meredith@epa.gov](mailto:Miller.Meredith@epa.gov)>; Dubey, Susmita <[dubey.susmita@epa.gov](mailto:dubey.susmita@epa.gov)>  
**Subject:** RE: 2021 Sinclair SRE decision - urgent timing issue

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**From:** Dertke, Daniel (ENRD) <[Daniel.Dertke@usdoj.gov](mailto:Daniel.Dertke@usdoj.gov)>  
**Sent:** Thursday, March 25, 2021 10:14 AM  
**To:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>  
**Cc:** O'Donnell, Jessica (ENRD) <[Jessica.O'Donnell@usdoj.gov](mailto:Jessica.O'Donnell@usdoj.gov)>; Miller, Meredith <[Miller.Meredith@epa.gov](mailto:Miller.Meredith@epa.gov)>; Dubey, Susmita <[dubey.susmita@epa.gov](mailto:dubey.susmita@epa.gov)>  
**Subject:** RE: 2021 Sinclair SRE decision - urgent timing issue

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**From:** Stahle, Susan <Stahle.Susan@epa.gov>

**Sent:** Thursday, March 25, 2021 10:01 AM

**To:** Dertke, Daniel (ENRD) <DDertke@ENRD.USDOJ.GOV>

**Cc:** O'Donnell, Jessica (ENRD) <JO'Donnell@ENRD.USDOJ.GOV>; Miller, Meredith <Miller.Meredith@epa.gov>; Dubey, Susmita <dubey.susmita@epa.gov>

**Subject:** RE: 2021 Sinclair SRE decision - urgent timing issue

Attached are the DOE recommendations.

## Ex. 5 Attorney Client (AC) / Attorney Work Product (AWP)

Susan Stahle  
Air and Radiation Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
WJCN-7502B  
202-564-1272

**From:** Dertke, Daniel (ENRD) <Daniel.Dertke@usdoj.gov>

**Sent:** Thursday, March 25, 2021 9:29 AM

**To:** Miller, Meredith <Miller.Meredith@epa.gov>; Dubey, Susmita <dubey.susmita@epa.gov>; Stahle, Susan <Stahle.Susan@epa.gov>

**Cc:** O'Donnell, Jessica (ENRD) <Jessica.O'Donnell@usdoj.gov>

**Subject:** 2021 Sinclair SRE decision - urgent timing issue

## Ex. 5 Attorney Client (AC) / Attorney Work Product (AWP)

Also, can you send me the DOE score sheets?

Ex. 5 Attorney Client (AC) / Attorney Work Product (AWP)

Ex. 5 Attorney Client (AC) / Attorney Work Product (AWP)